

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

PAMELA S. COX,)	
)	
Plaintiff,)	
vs.)	NO. CIV-13-0821-HE
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of the Social)	
Security Administration,)	
)	
Defendant.)	

ORDER


Plaintiff Pamela S. Cox filed this action seeking judicial review of the final decision of the Commissioner of the Social Security Administration denying her applications for disability insurance benefits and supplemental security income benefits. The case was referred to Magistrate Judge Charles B. Goodwin, consistent with 28 U.S.C. § 636(b)(1)(B). Judge Goodwin found that in assessing plaintiff's residual functioning capacity, the administrative law judge (ALJ) failed to independently analyze plaintiff's left-shoulder condition and consider plaintiff's detailed testimony as to that condition. Similarly, he concluded the ALJ did not make specific findings in assessing the demands of plaintiff's past relevant work and also failed to conduct an appropriate credibility analysis. Based on these conclusions, the magistrate judge recommends that the Commissioner's decision be reversed and remanded for further proceedings.

Having failed to object to the Report and Recommendation, the parties have waived their right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996); *see* 28 U.S.C. §

636(b)(1)(C). Accordingly, the court adopts the Report and Recommendation [Doc. #16], **REVERSES** the final decision of the Commissioner and **REMANDS** the case for further proceedings consistent with the Report and Recommendation, a copy of which is attached to this order. This decision does not suggest or imply any view as to whether plaintiff is or is not disabled, or what result should be reached on remand.

IT IS SO ORDERED.

Dated this 2nd day of December, 2014.



JOE HEATON
UNITED STATES DISTRICT JUDGE